

REMARKS

The present claims relate to a film covered battery and a battery assembly.

Information Disclosure Statement

In the Office Action, the Examiner indicated that two references had not been considered because copies had not been provided to the USPTO. Applicants respectfully note that, as noted in the Information Disclosure Statement (IDS) of April 3, 2007, the two references, JP 2001-222986 and JP 2000-133216, were submitted to the USPTO in previous IDS's, so those references were not resubmitted. Applicants note that the Examiner has initialed next to each of these references, on the Forms PTO/SB/08 submitted with the IDS's of January 25, 2006 and March 2, 2004.

Accordingly, Applicants respectfully request that the Examiner sign and initial the Form PTO/SB/08 submitted April 3, 2007.

Amendment summary

Upon entry of this Amendment, claims 1-6 and 8-9 will be pending.

The subject matter of claim 7 is incorporated into independent claim 1. The dependencies of claims 8 and 9 are corrected accordingly.

Claim 3 is amended to remove a typographical error.

Claim 10 is canceled.

No new matter is added, and Applicants respectfully submit that entry of this Amendment is proper.

Status of the claims

Claims 1-5 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lewin et al. (U.S. Patent No. 5,916,704). In addition, claims 1-5 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Naskali (U.S. Patent No. 6,713,209 B1). Finally, claims 6 and 10 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Naskali in view of either Komatsu (U.S. Patent No. 6,797,429 B1) or Tura et al (U.S. Patent No. 5,419,982).

Applicants wish to thank the Examiner for his indication that the subject matter of claims 7-9 is allowed.

Response to rejections based upon prior art

Applicants respectfully note that the subject matter of claim 7 has been incorporated into independent claim 1, and claim 10 has been canceled. Claim 7 was indicated to be allowed, and Applicants respectfully submit that the present Amendment has rendered the rejections set forth in the Office Action moot.

Accordingly, Applicants respectfully request the withdrawal of the prior art rejections set forth in the Office Action.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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